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Customer Number

Patent
Case No.: 47973.2.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Sandra Parkington
Application No.: 10/756,179 Group Art Unit: 3736
Filed: January 12, 2004 Examiner: Kai Rajan
Title: METHOD AND SYSTEM FOR TRACKING SODIUM INTAKE

Commissioner for Patents
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RESPONSE

This communication responds to the Office Action mailed December 28, 2009.

§ 103 Rejection

Claims 1-4 and 7-9 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Miller-Kovach et al. US Patent No. 6,436,036B1. Claims 5 and 6 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Miller-Kovach et al. US Patent No. 6,436,036B1 as applied to claim 1 above, further in view of Cosentino et al. US PGPub No. 2006/0064030 A1. Applicant respectfully disagrees and requests reconsideration in light of the remarks provided below.

In particular, Applicant submits that the prior art cited by the Examiner does not show at least subparagraph “b” of claim 1, copied below for convenience.

- b. converting the amount by weight of dietary sodium so determined into intake points by use of a preset ratio of the amount by weight of the standard measurement system to intake points, the conversion being performed by a processor and the preset ratio being programmable into the processor, the preset ratio resulting in a *total number of the intake points the subject is allowed to consume during an intake period that is one or two digits long*;